

“बिजनेस पोस्ट के अन्तर्गत डाक शुल्क के नगद भुगतान (बिना डाक टिकट) के प्रेषण हेतु अनुमत. क्रमांक जी.2-22-छत्तीसगढ़ गजट / 38 सि. से. भिलाई, दिनांक 30-05-2001.”



पंजीयन क्रमांक
“छत्तीसगढ़/दुर्ग/09/2013-2015.”

छत्तीसगढ़ राजपत्र

(असाधारण)

प्राधिकार से प्रकाशित

क्रमांक 593]

रायपुर, शुक्रवार, दिनांक 13 नवम्बर 2020 — कार्तिक 22, शक 1942

LAW AND LEGISLATIVE AFFAIRS DEPARTMENT
Mantralaya, Mahanadi Bhawan, Nava Raipur Atal Nagar

Atal Nagar, the 13th November 2020

NOTIFICATION

F. No. 8721 /666/21/B/2020. — The State Government, hereby, makes the following further amendment in the Law Department Manual, namely :-

AMENDMENT

In the said manual,-

1. After sub-rule (1) of rule 9, the following shall be added, namely :-

- “(1A). (I) **Appointment of Additional Advocate General, Deputy Advocate General, Government Advocate, Deputy Government Advocate, Standing Counsel and Panel Lawyers etc.-**
Government shall appoint such number of above mentioned posts in the High Court on behalf of the State, to conduct cases before various High Courts, Supreme Court and other State and National level Courts and Tribunals as they may consider necessary.
- (II) (a) The appointment of above mentioned posts shall be made from out of a panel of three advocates in the ratio of 1:3 prepared by the Advocate General, after obtaining the prior approval of the Government;
- (b) The appointment shall be made on the basis of competence, sufficient experience, standing at the Bar as an advocate, nature of practice etc.
- (c) The Advocate shall file a declaration with his resume that he is not subject to any such disqualification as mentioned in sub-clause (1B).

(III) No person shall be included in the Panel for appointment, as above mentioned posts, if he,

(a) in the case of,

(i) Additional Advocate General, Deputy Advocate General, Government Advocate, Deputy Government Advocate, Standing Counsel, unless he is an Advocate of High Court or Supreme Court, at least for a period of seven years.

(ii) Panel Lawyer, unless he is an Advocate of High Court or Supreme Court, at least for a period of three years.

(b) On receipt of a panel of advocate(s) prepared and sent by the Advocate-General, the Government may consider the same and as required appoint one among the panel(s) as the post above mentioned or call for a fresh panel in same manner as above for consideration.

(1B) **Disqualifications.-** An Advocate shall be disqualified for being appointed, or for continuing in the above mentioned posts, if-

- (a) he is declared financially insolvent by any competent court, or there is any pending civil decree or any case of wilful neglect against him.
- (b) he has been or is disqualified by the Bar Council of the State, where he has been enrolled or Bar Council of India or court or authority;
- (c) he has pending criminal case against him before the competent court of law or he is convicted by any court under any Act.

(1C) Term of appointment for the above posts.- The posts shall ordinarily be appointed for a term of two years. The Advocates so appointed for the posts may be considered for a second term, if the Government is satisfied that he do have efficiency, knowledge and good performance, and for a third term in exceptional cases.

(1D) Power to disengage.- The Government may, at any time, without any notice and without assigning any reason, disengage or dispense with the service of Advocates from the above mentioned posts.

The Advocate appointed on the above posts may resign after giving a prior notice of one month:

Provided that, the Government may waive such notice in appropriate cases.

(1E) Supervision and Control.- All the above mentioned posts in the High Court and other Courts and Tribunals at the State Level and National Level shall function under the general superintendence and control of the Advocate-General and shall perform such duties and functions as assigned to them by the Advocate General from time to time, and they will be under the overall control of the State Government.”

2. In rule 15, -

- (a) after the heading “15. Appointment.-”, the bracket and number “(1)” shall be inserted.
- (b) after the words “and also a list of pleaders”, the symbol and word “/Advocates” shall be inserted.

(c) after sub-rule (1), the following shall be added, namely:-

“(2) The appointment shall be made on the basis of competence, sufficient experience, standing at the Bar as an advocate, nature of practice, etc.

(3) The Advocate shall file a declaration with the application, that he is not subject to any disqualification as mentioned in sub-clause (4).

(4) An Advocate/pleader shall be disqualified for being appointed, or for continuing in the above mentioned posts, if:-

(a) he is declared financially insolvent by any competent court, or there is any pending civil decree or any case of wilful neglect against him;

(b) he has been or is disqualified by the Bar Council of the State, where he has been enrolled or Bar Council of India or any court or authority;

(c) he has pending criminal case against him before the competent court of law or he is convicted by any court under any Act.”

By order and in the name of the Governor of Chhattisgarh,
MANEESH KUMAR THAKUR, Additional Secretary.